

REMARKS

Claims 1-22 are currently pending in this application. By this Amendment, Claims 1, 4-12 and 15-22 are amended and claims 23-47 are canceled. Reconsideration of the above-identified patent application is hereby requested in view of the above-referenced amendments and the following Remarks.

The outstanding Office Action rejects claims 1-47 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent 6,252,883, issued to Schweickart et al. ("Schweickart"), in view of Murakami et al. JP 05252068 A ("Murakami") and further in view of U.S. Patent No. 6,512,456 to Taylor, Jr ("Taylor"), and further in view of one or more additional references.

Reconsideration and withdrawal of this rejection is requested in view of the amendments to the claims submitted herewith and the following discussion.

The claims now pending in this application have been amended to focus on features that are not taught or suggested in any of the references of record. In particular, the claims recite a method where step data captured in a portable device associated with a user is periodically transmitted to a network server where the data is stored, analyzed in order to generate feedback for the user. The feedback is posted to a web site that is accessible to the user.

As more specifically recited in dependent claims 4 and 15, the analysis performed on the step data is made according to health and/or fitness of the user such that the feedback information is health or fitness related.

Claims 5 and 16 recite that feedback information and the personal data is posted to a website in the form of one or more of graphs, charts, tables and map overlays.

Claims 6 and 17 recite that personal data is transmitted to the network server for each of a plurality of users from their corresponding personal devices.

Claims 7 and 18 recite that a comparison is made between person data for one user and personal data for at least one other user.

Claims 8 and 19 recite that the feedback information generated by the network server also is transmitted to and displayed on a user's personal device.

Claims 9 and 20 recite that the feedback information contains instructions from one or more of: a fitness instructor, physician, athletic trainer and nutritionist.

Claims 10 and 21 recite that the feedback information is posted to a web site that is accessible by a plurality of users.

Claims 11 and 22 recite that the feedback information is posted to a personal web site of a particular user.

Support for the amendments made to claims can be found in the original specification for the present application at page 17, line 16 to page 18, line 3; page 21, lines 8-14; page 23, line 11 to page 25, line 9.

None of the cited references, whether considered alone, or in combination (assuming a combination would be proper under 35 U.S.C. 103(a)) teaches or suggests a method for capturing personal data comprising pedometer step data in a user's device, wirelessly transmitting the step data such that (by way of a wireless network service provider and the Internet), it reaches a network server. At (or by) the network server, the personal data is stored in a repository where it is analyzed to generate feedback information. The feedback information is then posted to a web site that is accessible to the user. Moreover, none of the cited references teach or suggest any of the more specific features recited in the dependent claims 2-12 and 13-22 enumerated above.

The Goodman reference, cited in the Office Action for its alleged teaching of generating feedback information, but it does not teach or suggest posting that feedback information to a web site that is accessible to the user. Furthermore, Goodman does not teach or suggest the various other specific features recited in the dependent claims.

For these reasons, it is respectfully submitted that claims 1-22 are in condition for allowance. The Examiner is cordially invited to telephone the undersigned with any questions or comments so that the present application may receive a prompt Notice of Allowance.

A Petition for Extension of Time requesting one additional month within which to respond, together with the requisite fee, is submitted herewith.

Respectfully submitted,

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